

per passenger in excess of the maximum amount specified in section 332 of Public Law 106–69 (113 Stat. 1022), a State or local government may submit to the Secretary a proposal for restoring compensation for such service. Such proposal shall be a joint proposal of the State or local government and an air carrier.

“(2) DETERMINATION BY SECRETARY.—If a State or local government submits to the Secretary a proposal under paragraph (1) with respect to an eligible place, and the Secretary determines that—

“(A) the rate of subsidy per passenger under the proposal does not exceed the maximum amount specified in section 332 of Public Law 106–69; and

“(B) the proposal is consistent with the legal and regulatory requirements of the essential air service program, the Secretary shall issue an order restoring the eligibility of the otherwise eligible place to receive basic essential air service by an air carrier for compensation under subsection (c).”.

SEC. 416. OFFICE OF RURAL AVIATION.

(a) IN GENERAL.—Subchapter II of chapter 417 is amended by adding at the end the following:

“§ 41749. Office of Rural Aviation

“(a) ESTABLISHMENT.—The Secretary of Transportation shall establish within the Department of Transportation an office to be known as the ‘Office of Rural Aviation’ (in this section referred to as the ‘Office’).

“(b) FUNCTIONS.—The Office shall—

“(1) monitor the status of air service to small communities;

“(2) develop proposals to improve air service to small communities; and

“(3) carry out such other functions as the Secretary considers appropriate.”.

(b) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 417 is amended by adding at the end the following: “41749. Office of Rural Aviation.”.

SEC. 417. ADJUSTMENTS TO COMPENSATION FOR SIGNIFICANTLY INCREASED COSTS.

(a) ADJUSTMENTS TO ACCOUNT FOR SIGNIFICANTLY INCREASED NONFUEL COSTS.—Section 41737(e) is amended—

(1) in the subsection heading by inserting “NONFUEL” before “COSTS”; and

(2) in paragraph (1) by inserting “other than fuel costs” before “in providing”.

(b) ADJUSTMENTS TO ACCOUNT FOR SIGNIFICANTLY INCREASED AVIATION FUEL COSTS.—Section 41737 is amended by adding at the end the following:

“(f) ADJUSTMENTS TO ACCOUNT FOR SIGNIFICANTLY INCREASED AVIATION FUEL COSTS.—

“(1) IN GENERAL.—If the Secretary determines that air carriers are experiencing significantly increased aviation fuel costs in providing air service or air transportation for which compensation is being paid under this subchapter, the Secretary, subject to the availability of funds, shall increase the rates of compensation payable to air carriers under this sub-

chapter without regard to any agreement or requirement relating to the renegotiation of contracts or any notice requirement under section 41734.

“(2) READJUSTMENT IF COSTS SUBSEQUENTLY DECLINE.—If an adjustment is made under paragraph (1) with respect to the rates of compensation payable to air carriers, and the Secretary subsequently determines that there is a significant decrease in aviation fuel costs, the Secretary shall reduce the adjustment previously made under paragraph (1) without regard to any agreement or requirement relating to the renegotiation of contracts or any notice requirement under section 41734.

“(3) DEFINITIONS.—In this subsection, the following definitions apply:

“(A) AVIATION FUEL.—The term ‘aviation fuel’ means fuel used by an air carrier in aircraft providing air service or air transportation for which compensation is being paid under this subchapter.

“(B) SIGNIFICANT DECREASE IN AVIATION FUEL COSTS.—The term ‘significant decrease in aviation fuel costs’ means a decrease of 30 percent or more in the price per gallon of aviation fuel over a 6-month period, as determined by the Secretary, based on fuel price information derived from a commodities exchange or exchanges.

“(C) SIGNIFICANTLY INCREASED AVIATION FUEL COSTS.—The term ‘significantly increased aviation fuel costs’ means an increase of 30 percent or more in the price per gallon of aviation fuel over a 6-month period, as determined by the Secretary, based on fuel price information derived from a commodities exchange or exchanges.”.

SEC. 418. REVIEW OF AIR CARRIER FLIGHT DELAYS, CANCELLATIONS, AND ASSOCIATED CAUSES.

(a) REVIEW.—The Inspector General of the Department of Transportation shall conduct a review regarding air carrier flight delays, cancellations, and associated causes to update its 2000 report numbered CR-2000-112 and entitled “Audit of Air Carrier Flight Delays and Cancellations”.

(b) ASSESSMENTS.—In conducting the review under subsection (a), the Inspector General shall assess—

- (1) the need for an update on delay and cancellation statistics, such as number of chronically delayed flights and taxi-in and taxi-out times;
- (2) air carriers’ scheduling practices;
- (3) the need for a re-examination of capacity benchmarks at the Nation’s busiest airports; and
- (4) the impact of flight delays and cancellations on air travelers, including recommendations for programs that could be implemented to address the impact of flight delays on air travelers.

(c) REPORT.—Not later than one year after the date of enactment of this Act, the Inspector General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the review conducted under this section, including the assessments described in subsection (b).

SEC. 419. EUROPEAN UNION RULES FOR PASSENGER RIGHTS.

(a) **IN GENERAL.**—The Comptroller General shall conduct a study to evaluate and compare the regulations of the European Union and the United States on compensation and other consideration offered to passengers who are denied boarding or whose flights are cancelled or delayed.

(b) **SPECIFIC STUDY REQUIREMENTS.**—The study shall include an evaluation and comparison of the regulations based on costs to the air carriers, preferences of passengers for compensation or other consideration, and forms of compensation. In conducting the study, the Comptroller General shall also take into account the differences in structure and size of the aviation systems of the European Union and the United States.

(c) **REPORT.**—Not later than one year after the date of enactment of this Act, the Comptroller General shall submit a report to Congress on the results of the study.

SEC. 420. ESTABLISHMENT OF ADVISORY COMMITTEE FOR AVIATION CONSUMER PROTECTION.

(a) **IN GENERAL.**—The Secretary of Transportation shall establish an advisory committee for aviation consumer protection (in this section referred to as the “advisory committee”) to advise the Secretary in carrying out air passenger service improvements, including those required by chapter 423 of title 49, United States Code.

(b) **MEMBERSHIP.**—The Secretary shall appoint 8 members to the advisory committee as follows:

(1) Two representatives of air carriers required to submit emergency contingency plans pursuant to section 42301 of title 49, United States Code.

(2) Two representatives of the airport operators required to submit emergency contingency plans pursuant to section 42301 of such title.

(3) Two representatives of State and local governments who have expertise in aviation consumer protection matters.

(4) Two representatives of nonprofit public interest groups who have expertise in aviation consumer protection matters.

(c) **VACANCIES.**—A vacancy in the advisory committee shall be filled in the manner in which the original appointment was made.

(d) **TRAVEL EXPENSES.**—Members of the advisory committee shall serve without pay but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with subchapter I of chapter 57 of title 5, United States Code.

(e) **CHAIRPERSON.**—The Secretary shall designate, from among the individuals appointed under subsection (b), an individual to serve as chairperson of the advisory committee.

(f) **DUTIES.**—The duties of the advisory committee shall include the following:

(1) Evaluating existing aviation consumer protection programs and providing recommendations for the improvement of such programs, if needed.

(2) Providing recommendations to establish additional aviation consumer protection programs, if needed.

(g) **REPORT.**—Not later than February 1 of each of the first 2 calendar years beginning after the date of enactment of this Act, the Secretary shall transmit to Congress a report containing—

- (1) each recommendation made by the advisory committee during the preceding calendar year; and
- (2) an explanation of how the Secretary has implemented each recommendation and, for each recommendation not implemented, the Secretary's reason for not implementing the recommendation.

SEC. 421. DENIED BOARDING COMPENSATION.

(a) **IN GENERAL.**—Not later than one year after the date of enactment of this Act, the Secretary of Transportation shall issue a final regulation to modify section 250 of title 14, Code of Federal Regulations, regarding denied boarding compensation, to appropriately adjust the amount of such compensation for an aircraft with 30 or more seats.

(b) **EVALUATION.**—Not later than 2 years after the date of issuance of the final regulation under this section and every 2 years thereafter, the Secretary shall evaluate the amount provided for denied boarding compensation and issue a regulation to adjust such compensation as necessary.

SEC. 422. SCHEDULE REDUCTION.

(a) **IN GENERAL.**—If the Administrator of the Federal Aviation Administration determines that (1) the aircraft operations of air carriers during any hour at an airport exceeds the hourly maximum departure and arrival rate established by the Administrator for such operations, and (2) the operations in excess of the maximum departure and arrival rate for such hour at such airport are likely to have a significant adverse effect on the national or regional airspace system, the Administrator shall convene a conference of such carriers to reduce pursuant to section 41722, on a voluntary basis, the number of such operations to less than such maximum departure and arrival rate.

(b) **NO AGREEMENT.**—If the air carriers participating in a conference with respect to an airport under subsection (a) are not able to agree to a reduction in the number of flights to and from the airport to less than the maximum departure and arrival rate, the Administrator shall take such action as is necessary to ensure such reduction is implemented.

(c) **QUARTERLY REPORTS.**—Beginning 3 months after the date of enactment of this Act and every 3 months thereafter, the Administrator shall submit to Congress a report regarding scheduling at the 35 airports that have the greatest number of passenger enplanements, including each occurrence in which hourly scheduled aircraft operations of air carriers at such an airport exceed the hourly maximum departure and arrival rate at any such airport.

At the end of title V on page 147, insert the following:

SEC. 511. CONTINUATION OF AIR QUALITY SAMPLING.

The Administrator of the Federal Aviation Administration shall complete the air quality studies and analysis started pursuant to section 815 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 40101 note; 117 Stat. 2592), including the collection of samples of the air onboard passenger aircraft by flight attendants and the testing and analyzation of such samples for contaminants.

SEC. 512. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the proposed European Union directive extending the European Union's emissions trading proposal to international civil aviation without working through the International Civil Aviation Organization (in this section referred to as the "ICAO") in a consensus-based fashion is inconsistent with the Convention on International Civil Aviation, done at Chicago on December 7, 1944 (TIAS 1591; commonly known as "Chicago Convention"), and other relevant air services agreements and antithetical to building international cooperation to address effectively the problem of greenhouse gas emissions by aircraft engaged in international civil aviation; and

(2) the European Union and its member states should instead work with other contracting states of the ICAO to develop a consensual approach to addressing aircraft greenhouse gas emissions through the ICAO.

SEC. 513. AIRPORT NOISE COMPATIBILITY PLANNING STUDY, PORT AUTHORITY OF NEW YORK AND NEW JERSEY.

It is the sense of the House of Representatives that the Port Authority of New York and New Jersey should undertake an airport noise compatibility planning study under part 150 of title 14, Code of Federal Regulations, for the airports that the Port Authority operates as of November 2, 2007. In undertaking the study, the Port Authority should pay particular attention to the impact of noise on affected neighborhoods, including homes, businesses, and places of worship surrounding LaGuardia Airport.

Page 159, line 21, strike "in the" and all that follows through line 13 on page 160 and insert ", safety technical specialists, and operations support positions in the Flight Standard Service (as those terms are used in the Administration's fiscal year 2008 congressional budget justification) each fiscal year commensurate with the funding levels provided in subsection (b) for such fiscal year. Such increases shall be measured relative to the number of persons serving in positions of aviation safety inspectors and safety technical specialists and in operational support positions as of September 30, 2007."

Page 160, line 17, strike "subsections (a) and (b)" and insert "subsection (a)".

Page 161, line 1, strike "pursuant to section 604" and insert "under section 605".

Page 164, after line 24, insert the following:

SEC. 610. FAA TASK FORCE ON AIR TRAFFIC CONTROL FACILITY CONDITIONS.

(a) **ESTABLISHMENT.**—The Administrator of the Federal Aviation Administration shall establish a special task force to be known as the "FAA Task Force on Air Traffic Control Facility Conditions" (in this section referred to as the "Task Force").

(b) **MEMBERSHIP.**—

(1) **COMPOSITION.**—The Task Force shall be composed of 12 members of whom—

(A) 8 members shall be appointed by the Administrator; and

(B) 4 members shall be appointed by labor unions representing employees who work at field facilities of the Administration.

(2) QUALIFICATIONS.—Of the members appointed by the Administrator under paragraph (1)(A)—

(A) 4 members shall be specialists on toxic mold abatement, “sick building syndrome,” and other hazardous building conditions that can lead to employee health concerns and shall be appointed by the Administrator in consultation with the Director of the National Institute for Occupational Safety and Health; and

(B) 2 members shall be specialists on the rehabilitation of aging buildings.

(3) TERMS.—Members shall be appointed for the life of the Task Force.

(4) VACANCIES.—A vacancy in the Task Force shall be filled in the manner in which the original appointment was made.

(5) TRAVEL EXPENSES.—Members shall serve without pay but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with subchapter I of chapter 57 of title 5, United States Code.

(c) CHAIRPERSON.—The Administrator shall designate, from among the individuals appointed under subsection (b)(1), an individual to serve as chairperson of the Task Force.

(d) TASK FORCE PERSONNEL MATTERS.—

(1) STAFF.—The Task Force may appoint and fix the pay of such personnel as it considers appropriate.

(2) STAFF OF FEDERAL AGENCIES.—Upon request of the Chairperson of the Task Force, the head of any department or agency of the United States may detail, on a reimbursable basis, any of the personnel of that department or agency to the Task Force to assist it in carrying out its duties under this section.

(3) OTHER STAFF AND SUPPORT.—Upon request of the Task Force or a panel of the Task Force, the Administrator shall provide the Task Force or panel with professional and administrative staff and other support, on a reimbursable basis, to the Task Force to assist it in carrying out its duties under this section.

(e) OBTAINING OFFICIAL DATA.—The Task Force may secure directly from any department or agency of the United States information (other than information required by any statute of the United States to be kept confidential by such department or agency) necessary for the Task Force to carry out its duties under this section. Upon request of the chairperson of the Task Force, the head of that department or agency shall furnish such information to the Task Force.

(f) DUTIES.—

(1) STUDY.—The Task Force shall undertake a study of—

(A) the conditions of all air traffic control facilities across the Nation, including towers, centers, and terminal radar air control;

(B) reports from employees of the Administration relating to respiratory ailments and other health conditions resulting from exposure to mold, asbestos, poor air quality,

radiation and facility-related hazards in facilities of the Administration;

(C) conditions of such facilities that could interfere with such employees' ability to effectively and safely perform their duties;

(D) the ability of managers and supervisors of such employees to promptly document and seek remediation for unsafe facility conditions;

(E) whether employees of the Administration who report facility-related illnesses are treated fairly;

(F) utilization of scientifically-approved remediation techniques in a timely fashion once hazardous conditions are identified in a facility of the Administration; and

(G) resources allocated to facility maintenance and renovation by the Administration.

(2) FACILITY CONDITION INDICIES (FCI).—The Task Force shall review the facility condition indicies of the Administration (in this section referred to as the "FCI") for inclusion in the recommendations under subsection (g).

(g) RECOMMENDATIONS.—Based on the results of the study and review of the FCI under subsection (f), the Task Force shall make recommendations as it considers necessary to—

(1) prioritize those facilities needing the most immediate attention in order of the greatest risk to employee health and safety;

(2) ensure that the Administration is using scientifically approved remediation techniques in all facilities; and

(3) assist the Administration in making programmatic changes so that aging air traffic control facilities do not deteriorate to unsafe levels.

(h) REPORT.—Not later than 6 months after the date on which initial appointments of members to the Task Force are completed, the Task Force shall submit to the Administrator, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report on the activities of the Task Force, including the recommendations of the Task Force under subsection (g).

(i) IMPLEMENTATION.—Within 30 days of the receipt of the Task Force report under subsection (h), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes a plan and timeline to implement the recommendations of the Task Force and to align future budgets and priorities of the Administration accordingly.

(j) TERMINATION.—The Task Force shall terminate on the last day of the 30-day period beginning on the date on which the report under subsection (h) was submitted.

(k) APPLICABILITY OF THE FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Task Force.

(l) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Transportation \$250,000 to carry out this section.

Page 165, line 9, strike “September 30, 2017” and insert “December 31, 2017”.

Page 167, line 12, strike “September 30, 2017” and insert “December 31, 2017”.

Page 175, line 19, strike “FAA” and insert “Federal Aviation Administration (in this section referred to as the ‘FAA’).”.

Page 176, line 23, strike “facility or service” and insert “service or facility”.

Page 178, strike lines 3 through 22 and insert the following:

SEC. 808. ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE FOR NATIONAL TRANSPORTATION SAFETY BOARD EMPLOYEES.

Section 1113 is amended by adding at the end the following:

“(i) ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE.—

“(1) AUTHORITY TO PROVIDE INSURANCE.—The Board may procure accidental death and dismemberment insurance for an employee of the Board who travels for an accident investigation or other activity of the Board outside the United States or inside the United States under hazardous circumstances, as defined by the Board.

“(2) CREDITING OF INSURANCE BENEFITS TO OFFSET UNITED STATES TORT LIABILITY.—Any amounts paid to a person under insurance coverage procured under this subsection shall be credited as offsetting any liability of the United States to pay damages to that person under section 1346(b) of title 28, chapter 171 of title 28, chapter 163 of title 10, or any other provision of law authorizing recovery based upon tort liability of the United States in connection with the injury or death resulting in the insurance payment.

“(3) TREATMENT OF INSURANCE BENEFITS.—Any amounts paid under insurance coverage procured under this subsection shall not—

“(A) be considered additional pay or allowances for purposes of section 5536 of title 5; or

“(B) offset any benefits an employee may have as a result of government service, including compensation under chapter 81 of title 5.

“(4) ENTITLEMENT TO OTHER INSURANCE.—Nothing in this subsection shall be construed as affecting the entitlement of an employee to insurance under section 8704(b) of title 5.”.

Page 184, line 8, after “Infrastructure” insert “and Committee on Homeland Security”.

Page 185, strike line 12 and insert the following:

SEC. 815. 1940 AIR TERMINAL MUSEUM AT WILLIAM P. HOBBY AIRPORT, HOUSTON, TEXAS.

At the end of title VIII on page 186, insert the following:

SEC. 816. DUTY PERIODS AND FLIGHT TIME LIMITATIONS APPLICABLE TO FLIGHT CREWMEMBERS.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a rulemaking proceeding for the following purposes:

(1) To require a flight crewmember who is employed by an air carrier conducting operations under part 121 of title 14, Code of Federal Regulations, and who accepts an additional assignment for flying under part 91 of such title from the air car-

rier or from any other air carrier conducting operations under part 121 or 135 of such title, to apply the period of the additional assignment (regardless of whether the assignment is performed by the flight crewmember before or after an assignment to fly under part 121 of such title) toward any limitation applicable to the flight crewmember relating to duty periods or flight times under part 121 of such title.

(2) To require a flight crewmember who is employed by an air carrier conducting operations under part 135 of title 14, Code of Federal Regulations, and who accepts an additional assignment for flying under part 91 of such title from the air carrier or any other air carrier conducting operations under part 121 or 135 of such title, to apply the period of the additional assignment (regardless of whether the assignment is performed by the flight crewmember before or after an assignment to fly under part 135 of such title) toward any limitation applicable to the flight crewmember relating to duty periods or flight times under part 135 of such title.

SEC. 817. LABOR INTEGRATION.

(a) **LABOR INTEGRATION.**—With respect to any covered transaction involving a covered air carrier that results in the combination of crafts or classes that are subject to the Railway Labor Act (45 U.S.C. 151 et seq.), sections 3 and 13 of the labor protective provisions imposed by the Civil Aeronautics Board in the Allegheny-Mohawk merger (as published at 59 C.A.B. 45) shall apply to the integration of covered employees of the covered air carrier; except that—

(1) if the same collective bargaining agent represents the combining crafts or classes at the covered air carrier, that collective bargaining agent's internal policies regarding integration, if any, will not be affected by and will supercede the requirements of this section; and

(2) the requirements of any collective bargaining agreement that may be applicable to the terms of integration involving covered employees of the covered air carrier shall also not be affected by and will supersede the requirements of this section, so long as those provisions supply at least the protections afforded by sections 3 and 13 of the Allegheny-Mohawk provisions.

(b) **ENFORCEMENT.**—Any labor organization that represents individuals that are aggrieved as a result of a violation of the labor protective provisions applied under subsection (a) may bring an action to enforce this section, or to enforce the terms of any award or agreement resulting from arbitration or a settlement relating to the requirements of this section. An action under this subsection shall be brought in an appropriate United States district court determined in accordance with section 1391 of title 28, United States Code, without regard to the amount in controversy.

(c) **DEFINITIONS.**—In this section, the following definitions apply:

(1) **AIR CARRIER.**—The term “air carrier” means an air carrier that holds a certificate issued under chapter 411 of title 49, United States Code.

(2) **COVERED AIR CARRIER.**—The term “covered air carrier” means an air carrier that is involved in a covered transaction.

(3) COVERED EMPLOYEE.—The term “covered employee” means an employee who—

(A) is not a temporary employee; and

(B) is a member of a craft or class that is subject to the Railway Labor Act (45 U.S.C. 151 et seq.).

(4) COVERED TRANSACTION.—The term “covered transaction” means—

(A) a transaction for the combination of multiple air carriers into a single air carrier; and which

(B) involves the transfer of ownership or control of—

(i) 50 percent or more of the equity securities (as defined in section 101 of title 11, United States Code) of an air carrier; or

(ii) 50 percent or more (by value) of the assets of the air carrier.

(d) APPLICATION.—This section shall not apply to any covered transaction involving a covered air carrier that took place before the date of enactment of this Act.

SEC. 818. PILOT PROGRAM FOR REDEVELOPMENT OF AIRPORT PROPERTIES.

(a) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a pilot program at up to 4 public-use airports (as defined in section 47102 of title 49, United States Code) that have a noise compatibility program approved by the Administrator under section 47504 of such title.

(b) GRANTS.—Under the pilot program, the Administrator may make a grant in a fiscal year, from funds made available under section 47117(e)(1)(A) of such title, to the operator of an airport participating in the pilot program—

(1) to support joint planning (including planning described in section 47504(a)(2)(F) of such title), engineering design, and environmental permitting for the assembly and redevelopment of real property purchased with noise mitigation funds made available under section 48103 or passenger facility revenues collected for the airport under section 40117 of such title; and

(2) to encourage compatible land uses with the airport and generate economic benefits to the airport operator and an affected local jurisdiction.

(c) GRANT REQUIREMENTS.—The Administrator may not make a grant under this section unless the grant is made—

(1) to enable the airport operator and an affected local jurisdiction to expedite their noise mitigation redevelopment efforts with respect to real property described in subsection (b)(1); and

(2) subject to a requirement that the affected local jurisdiction has adopted zoning regulations that permit compatible redevelopment of real property described in subsection (b)(1);

(3) subject to a requirement that funds made available under section 47117(e)(1)(A) with respect to real property assembled and redeveloped under subsection (b)(1) plus the amount of any grants made for acquisition of such property under section 47504 of such title are repaid to the Administrator upon the sale of such property.

(d) COOPERATION WITH LOCAL AFFECTED JURISDICTION.—An airport operator may use funds granted under this section for a pur-

pose described in subsection (b) only in cooperation with an affected local jurisdiction.

(e) UNITED STATES GOVERNMENT SHARE.—

(1) IN GENERAL.—The United States Government share of the allowable costs of a project carried out under the pilot program shall be 80 percent.

(2) DETERMINATION.—In determining the allowable project costs of a project carried out under the pilot program for purposes of this subsection, the Administrator shall deduct from the total costs of the project that portion of the total costs of the project that are incurred with respect to real property that is not owned or to be acquired by the airport operator pursuant to the noise compatibility program for the airport or that is not owned by an affected local jurisdiction or other public entity.

(3) MAXIMUM AMOUNT.—Not more than \$5,000,000 in funds made available under section 47117(e) of title 49, United States Code, may be expended under this pilot program at any single public-use airport.

(f) SPECIAL RULES FOR REPAID FUNDS.—The amounts repaid to the Administrator with respect to an airport under subsection (c)(3)—

(1) shall be available to the Administrator for the following actions giving preference to such actions in descending order:

(A) reinvestment in an approved noise compatibility project at the airport;

(B) reinvestment in another project at the airport that is available for funding under section 47117(e) of title 49, United States Code;

(C) reinvestment in an approved airport development project at the airport that is eligible for funding under section 47114, 47115, or 47117 of such title;

(D) reinvestment in approved noise compatibility project at any other public airport; and

(E) deposit in the Airport and Airway Trust Fund established under section 9502 of the Internal Revenue Code of 1986 (26 U.S.C. 9502);

(2) shall be in addition to amounts authorized under section 48103 of title 49, United States Code; and

(3) shall remain available until expended.

(g) USE OF PASSENGER FACILITY REVENUE.—An operator of an airport participating in the pilot program may use passenger facility revenue collected for the airport under section 40117 of title 49, United States Code, to pay the portion of the total cost of a project carried out by the operator under the pilot program that are not allowable under subsection (e)(2).

(h) SUNSET.—The Administrator may not make a grant under the pilot program after September 30, 2011.

(i) REPORT TO CONGRESS.—Not later than the last day of the 30th month following the date on which the first grant is made under this section, the Administrator shall report to Congress on the effectiveness of the pilot program on returning real property purchased with noise mitigation funds made available under section 47117(e)(1)(A) or 47505 or passenger facility revenues to productive use.

(j) NOISE COMPATIBILITY MEASURES.—Section 47504(a)(2) is amended—

- (1) by striking “and” at the end of subparagraph (D);
- (2) by striking the period at the end of subparagraph (E) and inserting “; and”; and
- (3) by adding at the end the following:

“(F) joint comprehensive land use planning, including master plans, traffic studies, environmental evaluation and economic and feasibility studies, with neighboring local jurisdictions undertaking community redevelopment in the area where any land or other property interest acquired by the airport operator under this subsection is located, to encourage and enhance redevelopment opportunities that reflect zoning and uses that will prevent the introduction of additional incompatible uses and enhance redevelopment potential.”.

SEC. 819. HELICOPTER OPERATIONS OVER LONG ISLAND, NEW YORK.

(a) STUDY.—The Administrator of the Federal Aviation Administration shall conduct a study on helicopter operations over Long Island, New York.

(b) CONTENTS.—In conducting the study, the Administrator shall examine, at a minimum, the following:

- (1) The effect of helicopter operations on residential areas, including—
 - (A) safety issues relating to helicopter operations;
 - (B) noise levels relating to helicopter operations and ways to abate the noise levels; and
 - (C) any other issue relating to helicopter operations on residential areas.
- (2) The feasibility of diverting helicopters from residential areas.
- (3) The feasibility of creating specific air lanes for helicopter operations.
- (4) The feasibility of establishing altitude limits for helicopter operations.

(c) EXCEPTIONS.—Any determination under this section on the feasibility of establishing limitations or restrictions for helicopter operations over Long Island, New York, shall not apply to helicopters performing operations for news organizations, the military, law enforcement, or providers of emergency services.

(d) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to interfere with the Federal Aviation Administration’s authority to ensure the safe and efficient use of the national airspace system.

(e) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Administrator shall submit to Congress a report on the results of the study, including information and recommendations concerning the issues examined under subsection (b).

SEC. 820. CABIN TEMPERATURE STANDARDS STUDY.

(a) STUDY.—Not later than 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall conduct a study to determine whether onboard temperature standards are necessary to protect cabin and cockpit crew

members and passengers on an aircraft of an air carrier used to provide air transportation from excessive heat onboard such aircraft during standard operations or during an excessive flight delay.

(b) **TEMPERATURE REVIEW.**—In conducting the study under subsection (a), the Administrator shall—

(1) survey onboard cabin and cockpit temperatures of a representative sampling of different aircraft types and operations;

(2) address the appropriate placement of temperature monitoring devices onboard the aircraft to determine the most accurate measurement of onboard temperature and develop a system for the reporting of excessive temperature onboard passenger aircraft by cockpit and cabin crew members; and

(3) review the impact of implementing such onboard temperature standards on the environment, fuel economy, and avionics and determine the costs associated with such implementation and the feasibility of using ground equipment or other mitigation measures to offset any such costs.

(c) **REPORT TO CONGRESS.**—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to Congress a report on the findings of the study.

SEC. 821. CIVIL PENALTIES TECHNICAL AMENDMENTS.

Section 46602 is amended—

(1) in subsection (a)(1)(A) by inserting “chapter 451,” before “section 47107(b)”;

(2) in subsection (a)(5)(A)(i)—

(A) by striking “or chapter 449” and inserting “chapter 449”; and

(B) by inserting after “44909” the following: “, or chapter 451”; and

(3) in subsection (d)(2)—

(A) by inserting after “44723” the following: “, chapter 451 (except section 45107)”;

(B) by inserting after “44909),” the following: “section 45107 or”.

SEC. 822. REALIGNMENT OF TERMINAL RADAR APPROACH CONTROL AT PALM BEACH INTERNATIONAL AIRPORT.

(a) **PROHIBITION.**—The Administrator of the Federal Aviation Administration may not carry out, or plan for, the consolidation, deconsolidation, colocation, execution of interfacility reorganization, or facility elimination of the terminal radar approach control (TRACON) at Palm Beach International Airport.

(b) **REPLACEMENT OF TERMINAL RADAR APPROACH CONTROL AT PALM BEACH INTERNATIONAL AIRPORT.**—The Administrator shall take such action as may be necessary to ensure that any air traffic control tower or facility placed into operation at Palm Beach International Airport after September 30, 2007, to replace an air traffic control tower or facility placed into operation before September 30, 2007, includes an operating terminal radar approach control.

Conform the table of contents of the amendment accordingly.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LATOURETTE OF OHIO, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 181, after line 2, insert the following:

(b) GRANTS.—

(1) IN GENERAL.—The Secretary may make a grant, from funds made available under section 48103 of title 49, United States Code, to Lake County to assist in Lake County's purchase of the Lost Nation Airport under subsection (a).

(2) FEDERAL SHARE.—The Federal share of the grant under this subsection shall be for 90 percent of the cost of Lake County's purchase of the Lost Nation Airport, but in no event may the Federal share of the grant exceed \$1,220,000.

(3) APPROVAL.—The Secretary may make a grant under this subsection only if the Secretary receives such written assurances as the Secretary may require under section 47107 of title 49, United States Code, with respect to the grant and Lost Nation Airport.

Page 181, line 3, strike “(b)” and insert “(c)”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE POE OF TEXAS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 96, line 19, after “shall” insert “(1)”.

Page 96, line 25, before the first period, insert “, and (2) modify the certification requirements under such part to include testing for the use of alcohol or a controlled substance in accordance with section 45102 of any individual performing a safety-sensitive function at a foreign aircraft repair station, including an individual working at a station of a third-party with whom an air carrier contracts to perform work on air carrier aircraft or components”.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SHAYS OF CONNECTICUT, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title VIII, add the following:

SEC. 816. STUDY AND REPORT ON ALLEVIATING CONGESTION.

Not later than 6 months after the date of enactment of this Act, the Comptroller General shall conduct a study and submit a report to Congress regarding effective strategies to alleviate congestion in the national airspace at airports during peak travel times, by evaluating the effectiveness of reducing flight schedules and staggering flights, developing incentives for airlines to reduce the number of flights offered, and instituting slots and quotas at airports. In addition, the Comptroller General shall compare the efficiency of implementing the strategies in the preceding sentence with redesigning airspace and evaluate any legal obstacles to implementing such strategies.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WATERS OF CALIFORNIA, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 175, line 21, after “facilities” insert “(including regional offices)”.

Page 176, line 8, before “field” insert “regional or”.

Page 176, line 23, after “facility” insert “(including a regional office)”.

Page 177, lines 17 and 22, after “facilities” insert “(including regional offices)”.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE UDALL OF NEW MEXICO, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title VIII of the bill, add the following (and conform the table of contents of the bill accordingly):

SEC. 816. AIRLINE PERSONNEL TRAINING ENHANCEMENT.

Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall issue regulations under chapter 447 of title 49, United States Code, that require air carriers to provide initial and annual recurring training for flight attendants and gate attendants regarding serving alcohol, dealing with disruptive passengers, and recognizing intoxicated persons. The training shall include situational training on methods of handling an intoxicated person who is belligerent.

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KLEIN OF FLORIDA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

At the end of title IV of the amendment, insert the following (and conform the table of contents of the amendment accordingly):

SEC. 412. EXPANSION OF DOT AIRLINE CONSUMER COMPLAINT INVESTIGATIONS.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary of Transportation shall investigate consumer complaints regarding—

- (1) flight cancellations;
- (2) compliance with Federal regulations concerning overbooking seats flights;
- (3) lost, damaged, or delayed baggage, and difficulties with related airline claims procedures;
- (4) problems in obtaining refunds for unused or lost tickets or fare adjustments;
- (5) incorrect or incomplete information about fares, discount fare conditions and availability, overcharges, and fare increases;
- (6) the rights of passengers who hold frequent flier miles or equivalent redeemable awards earned through customer-loyalty programs; and
- (7) deceptive or misleading advertising.

(b) BUDGET NEEDS REPORT.—The Secretary shall provide, as an annex to its annual budget request, an estimate of resources which would have been sufficient to investigate all such claims the Department of Transportation received in the previous fiscal year.

The annex shall be transmitted to Congress when the President submits the budget of the United States to the Congress under section 1105 of title 31, United States Code.

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE NEUGEBAUER OF TEXAS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 186, after line 2, insert the following:

SEC. 816. STUDY ON FEASIBILITY OF DEVELOPMENT OF A PUBLIC INTERNET WEB-BASED SEARCH ENGINE ON WIND TURBINE INSTALLATION OBSTRUCTION.

(a) **STUDY.**—The Administrator of the Federal Aviation Administration shall carry out a study on the feasibility of developing a publicly searchable, Internet Web-based resource that provides information regarding the acceptable height and distance that wind turbines may be installed in relation to aviation sites and the level of obstruction such turbines may present to such sites.

(b) **CONSIDERATIONS.**—In conducting the study, the Administrator shall consult, if appropriate, with the Secretaries of the Army, Navy and Air Force, Homeland Security, and Energy to coordinate the requirements of each agency for future air space needs, determine what the acceptable risks are to existing infrastructure of each agency, and define the different levels of risk for such infrastructure.

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit a report on the results of the study to the Committee on Transportation and Infrastructure, Committee on Homeland Security, Committee on Armed Services and Committee on Science and Technology in the House of Representatives and the Committee on Commerce, Science and Transportation, Committee on Government Affairs and Homeland Security, and the Committee on Armed Services in the Senate.